

**WEST PIKELAND TOWNSHIP
1208 KIMBERTON ROAD,
CHESTER SPRINGS, PA. 19425
BOARD OF SUPERVISORS
BUSINESS SESSION OF JUNE 19, 2006**

The Board of Supervisors of West Pikeland Township met on June 19, 2006 at 7:30 p.m. at the Township Building, 1208 Kimberton Road, Chester Springs, Pennsylvania. Those in attendance were Harold Hallman III, Chairman; Linda Glaum, Vice Chairman; William Cracas, Supervisor; Shane Clark, Chief of Police; Harry Miller, Director of Facilities; Guy Donatelli, Solicitor; Joan Matthews, Township Secretary and those listed on the attached attendance sign in sheet.

Mr. Hallman III called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

EXECUTIVE SESSIONS

Mr. Hallman III noted that the Board of Supervisors met in Executive Session on June 14, and 19, 2006 for legal reasons.

PERSONS WISHING TO BE HEARD

- A. **Tracy Beaver McKeon of 1707 Chantilly**
Tracy Beaver McKeon of 1707 Chantilly Lane approached the Board regarding the Common Driveway Easement that serves Lots 3, 4, &5 which was made part of the Chantilly Subdivision Plan. Mrs. McKeon stated that the driveway has been constructed and placed outside the common easement and is currently encroaching on her personal property. Mrs. McKeon further stated that she has been in contact with the Township and has been advised that this is a private matter in which she must engage in discussion with Moser Builders for a possible solution. To this date, Ted Moser of Moser Builders has not returned her phone calls. Mrs. McKeon wished to know why the Township is not responsible to make the builder comply with the original approved subdivision plan. Mr. Donatelli, Solicitor, stated that he would review the Chantilly subdivision plan to distinguish if the Township holds any responsibility in connection with the approval of the plan.
- A. **Jack Brogan, Chairman of HARB**
Mr. Brogan approached the Board and asked why Mr. Peter Zimmerman was dropped from the HARB Board. Mr. Cracas stated that Mr. Zimmerman and Mrs. Vitale did not respond to letters sent from the Township before the annual Organizational meeting asking if they wished to continue serving on HARB. Mr. Brogan respectfully requested that Mr. Zimmerman be re-instated as the architect member of the HARB Board. Mr. Cracas made a motion to move Mr. Brogan's request to New Business. Mr. Hallman III seconded the motion. After no further discussion the motion was carried with all voting Aye.

B. **Michael Groman, 1330 Street Road**

Mr. Groman wished to express his concern regarding tree trimming practices that were performed along Township roads. Mr. Groman stated that he is employed by the Philadelphia Horticulture Society and has sent the Township tree trimming information. Mr. Cracas stated that the Township has not undertaken a tree trimming program for many years and the current year's program was more involved and therefore caused concern from many of the residents. Mr. Cracas stated that the Township would like to have a meeting in the fall of 2006 with all concerned residents to consider and review tree trimming practices for the spring of 2007. Mr. Cracas further wished residents to know that wood left after trimming by the contractor is constituted by the Second Class Township Code.

C. **Gesa Skarloff, Yellow Springs Road**

Ms. Skarloff inquired about the status of the 2005 Audit Report. Mr. Cracas stated that the Auditor has not yet completed the Audit. Eileen Junico requested that the Board of Supervisors delay any motions regarding the Cultural Center project until the Audit has been completed. Ann Jordon stated her concern that the Township cannot be fiscally responsible without an approved final 2005 balances. Mr. Cracas stated that delaying the project would result in overall higher costs.

D. **Nancy Barley, Art School Road**

Ms. Bartley approached the Board with her previously submitted proposed parking lot plan for the Cultural Center. Ms. Bartley expressed her desire to see a current Landscape Plan, asked why there is no current pedestrian trail and access to the village, and expressed she felt the plan did not have good stormwater management that would result in excess run-off. Ms. Bartley requested that the Board of Supervisors seek alternative solutions to construct an environmental sensitive parking lot for the Cultural Center.

E. **Theodore Gacomis P. E., Saddlebrook Circle**

Mr. Gacomis introduced himself as a resident and Township Engineer. Mr. Gacomis stated that the current Board of Supervisors has made an extreme effort to support Historic Yellow Springs by purchasing the Cultural Center property and designing its proposed use. He also wished it noted that he drafted and suggested the enlarged driveway, seepage-bed and curbing to channelize runoff as the best management for stormwater management as it is designed for 100 year storm. Mr. Gacomis has submitted the plan for review to the Chester County Conservation District and the Department of Environmental Protection. Mr. Gacomis further stated that he had designed the plan under the present township zoning ordinance to include the required three handicapped parking spaces in place of the metal shed at the entrance. Along with a total of 78 parking spaces. However, the Board expressed their desire to keep the shed in place and re-locate the handicapped spaces. Furthermore, Mr. Gacomis stated that the proposed parking plan was not designed as parking for the entire village but was designed for the purpose of parking for access to the Cultural Center building only. Mr. Gacomis further stated that a Landscaping and sidewalk plan was not part of the current proposed plan for cost-effective reasons.

Rob Lukens, Director of Historic Yellow Springs Inc. welcomed the township to the village. Mr. Lukens stated that he supports more parking in the Village. Mr. Lukens further expressed his concern how the magnesium spring will be effected by the additional water run-off from the proposed stormwater management plan. Mr. Gacomis stated any water entering the spring from run-of should have good quality due to the amount of stone contained in the seepage bed.

Mr. Jack Brogan stated he is concerned there are archeological artifacts contained in the site of construction. Mr. Cracas stated that a professional archeological dig was completed by Historic Yellow Springs in 1976 and nothing was found. Most of the ground that accompanies the Cultural Center has been modified or re-contoured over the years.

MEETING MINUTE APPROVAL

- A. Mr. Cracas made a motion to approve the minutes of the May 15, 2006 Business Meeting. Mr. Hallman III seconded the motion. After no further discussion the motion was carried with all voting Aye.
- B. Mr. Cracas made a motion to approve the minutes of the May 30, 2005 Special Session. Mrs. Glaum seconded the motion. After no further discussion the motion was carried with all voting Aye.
- C. Mr. Cracas made a motion to approve the minutes of the June 5, 2006 Special Session. Mrs. Glaum seconded the motion. After no further discussion the motion was carried with all voting Aye.

PUBLIC HEARING-HOLDING TANK ORDINANCE

Mr. Hallman III opened the Public Hearing for the adoption of Ordinance 2006-202. The Ordinance establishes procedures for the use and maintenance of existing and new holding tanks designed to receive sewage whether from a residential or commercial use. Mr. Hallman III presented Exhibit #1 which provides proof of publication that the Ordinance was properly advertised.

Mr. Hallman III asked for any discussion. Mr. Peter Hughes inquired if the proposed Ordinance is restricted to existing systems, or to new construction. After a lengthy discussion, Mr. Cracas made a motion to review the language of the Ordinance for consideration at a later date. Mrs. Glaum seconded the motion. Mr. Donatelli, Solicitor, stated that the Ordinance will have to be re-advertised. After no further discussion the motion was carried with all voting Aye.

Mr. Hallman III announced the conclusion of the Public Hearing.

REPORTS

A. Treasurer's Report

- 1. Bills for Approval – Mrs. Glaum made a motion to approve the bills submitted as of June 19, 2006. Mr. Cracas seconded the motion. Mr. Hallman III abstained from invoices paid by Checks #1374 and #1385. After no further discussion the motion was carried with all voting Aye.
- 1. Treasurer's Report – Mrs. Glaum made a motion to approve the Treasurer's Report as of May 2006. Mr. Cracas seconded the motion. After no further discussion the motion was carried with all voting Aye.

- A. **Police Report** – Chief Clark read the Police Report for May 2006. The report is on file and available for review at the Township office.
- B. **Building/Zoning Officer’s Report** – Mr. Hallman III read the May 2006 Building/Zoning Officer’s Report. The Report is on file and available for review at the Township Office.
- C. **Park and Recreation Report** – Elizabeth Madarang, Chairman of the Park and Recreation Committee read notes from the June 2006 meeting. The report is on file and available for review at the Township Office. Mrs. Madarang noted that the Park and Recreation Committee support Anselma Mill’s request for funds to support its National Historic Landmark Dedication event on May 13, 2006 in the amount of \$1,500.00. Mr. Hallman III stated that the Board also supports the Mill’s request and will determine where the funds will be appropriated from. It was further noted that a fee schedule will need to be established for outside organizations to use Pine Creek Park’s fields.
- D. **Planning Commission Memorandum and Minutes** – Mr. Miller reviewed the minutes of the Planning Commission Meeting of June 12, 2006 and a Memorandum submitted to the Board from Frank Best, Chairman dated June 15, 2006. The Memorandum stated that the Planning Commission voted 4-0 to recommend the Board of Supervisors not to proceed with the proposed Cultural Center parking lot until HARB reviews the proposal and control of potential run-off pollution through landscaping and other means if further explored. The minutes and memorandum are available for review at the Township Office.
- E. **Roadmaster’s Report** – Mr. Hallman III read the Roadmaster’s report for May 2006. The Report is on file and available for review at the Township Office.
- F. **Fire/Ambulance Reports** – Mr. Hallman III read the West End Fire Company’s Ambulance response report for May 2006. Barbara Yagel representing Lionville Fire Company read their report for the month of May 2006. The reports are on file and available for review at the Township Office.

Mrs. Glaum made a motion to accept the Reports as read. Mr. Cracas seconded the motion. After no further discussion the motion was carried with all voting Aye.

OLD BUSINESS

A. **Cultural Center**

1. **Parking Lot**

a. **Parking Lot Receiving of Bids** – Mr. Hallman announced the following bids have been received for consideration for the construction of a driveway and a parking lot:

Charlestown Paving	\$396,854.00
Gessler Construction	\$615,500.00
Melchiorre Construction	\$480,000.00

B & J Excavating \$294,432.00

- b. Change Order to Parking Lot Contract- Mr. Cracas made a motion to authorize the Township Manager and Engineer to keep the metal shed on the Cultural Center property. Mrs. Glaum seconded the motion. After no further discussion the motion was carried with all voting Aye.
2. Office Roof Bids- Mr. Cracas stated that bids have been advertised for the replacement of the wood shingle roof on the conference center section of the Cultural Center. Bids are to be received and opened on July 7, 2006 with the Board considering awarding the contract at the July 17, 2006 meeting.
 3. Office Layout-Mr. Cracas stated that Arcus Design Group has started on the layout for the office area and the restrooms. Preliminary Plans are not available at this time.
 4. Schultz and Williams is starting to work on the Strategic plan for the “black box theatre” that is being prepared in part by the Pennsylvania Council on the Arts grant.
 2. John Matthews- Mr. Matthews submitted two additional petitions containing a total of 4 signatures opposing the Cultural Center Parking Plan and a letter dated April 20, 2006 from Daniel Stegeman, Chairman of the Chester Springs Studio, both the petition and letter opposing the placement of a salt shed and maintenance building at the Cultural Center. After lengthy statements of opposition of the plan Mr. Matthews requested that Elizabeth Plater-Zyberk work on the present proposed plan. Mr. Matthews accused the Board of Supervisors of deceiving the public with the current plan as a first step towards constructing a salt shed and maintenance building in an area of a proposed additional parking lot not being considered at this time.

Several residents, engaged in a lengthy discussion regarding their opposition to the current plan, and the proposal of the township to construct a salt shed in the future. Mr. Cracas stated that the current proposed plan does not include a salt shed or maintenance building and is for the purpose of parking for the administrative offices only.

Mr. Joseph Lorini of Horseshoe Trail Road asked what procedure would be taken for any proposed plans in the future that would include a maintenance building, salt shed and additional parking lots. Mr. Cracas stated that any additional proposed plan would require additional bidding, public input, and required reviews by designated agencies as part of the pre-planning process.

B. Land Development

- a. 1657 Art School Road Associates LLC Zoning Hearing has been continued from June 14, 2006 at 7:30 p.m. to June 26, 2006 at 7:30 p.m. at the Township Building.
- b. Residents of Village Lane Letter regarding Village Lane- The Township Secretary has submitted the letter of concerns of the

residents to the Township Planning Commission at their June 12, 2006 Meeting.

- c. Review the process of clarifying the language of pool setbacks in the present Zoning Ordinance pertaining to open Space/Lot Averaging Subdivision plans. Township Solicitor Guy Donatelli reported that his research clarifies that certain subdivisions in the Township have notations that require additional setbacks, which are different from the Zoning Ordinance. Mr. Donatelli stated that this is the reason why some applicants for the construction of pools require a variance.
- C. 1132 Conestoga Road – The Building/Zoning Officer has issued an enforcement notice to include all violations.
- D. Historic Yellow Springs Review Process – being reviewed by Solicitor Ryan Costello at this time.
- E. HARB Application of Chester Springs Studio – Mr. Cracas reported that the Township has acted in accordance with the procedures set forth in Article VII, Section 706 of the West Pikeland Township Zoning Ordinance and has forwarded the Chester Springs Studio’s building permit application to HARB. Mr. Cracas noted that HARB has not acted within the said period as stated in Article VII. After a brief discussion, Mrs. Kring, representing the Studio agreed to grant an extension in writing to the Township to permit HARB to complete their review.
- F. Chester Springs Studio Request –The Township has received a letter of request from the Chester Springs Studio requested by their Auditor. The letter requested that the Board of Supervisors sign an acknowledgement letter that the Studio would complete in good faith, three items that were listed as a condition of a grant that was provided by the Township in 2001. Mr. Cracas made a motion to postpone signing of the acknowledgement letter to the Chester Springs Studio auditor regarding the Township grant until HARB has completed their review. Mr. Hallman III seconded the motion. After no further discussion the motion was carried with all voting Aye.
- G. Fire Ban-Township Secretary has been informed by the Chester County Fire Board that the Fire Ban is no longer in effect.
- H. Correction to Resolution 2006-01-06- Mr. Cracas made a motion to amend Resolution 2006-01-06 to include “Plan available to Township Employees and Elected Officials”. Mr. Hallman III seconded the motion. The Resolution clarifies the language contained as to who may participate in the township 457 plan which is funded by the individual’s contribution. After no further discussion the motion was carried with all voting Aye.
- I. Thank you letter from Historic Yellow Springs Inc. - Mr. Cracas read a letter from Rob Lukens, Executive Director of Historic Yellow Springs thanking the Township and Police Department for their cooperation and support during their recent weekend event. Chief Clark wished it noted that West Vincent Township supplied an Officer and sign board.

Mr. Cracas made a motion to accept the Old Business items. Mrs. Glaum seconded the motion. After no further discussion the motion was carried with all voting Aye.

NEW BUSINESS

- A. Subdivision Time Extension Yellow Springs Farm- Mr. Cracas made a motion to accept the granting of the Subdivision Extension Agreement to

Yellow Springs Farm Subdivision to July 31, 2006. Mrs. Glaum seconded the motion. After no further discussion the motion was carried with all voting Aye.

- B. Land Development Time Extension Anselma Mill- Mr. Cracas made a motion to accept the granting of the Land Development Extension Agreement to Anselma Mill to September 30, 2006. Mrs. Glaum seconded the motion. After no further discussion the motion was carried with all voting Aye.
- C. Resolution 2006-06-11 Registration of Contractors – Mr. Hallman III expressed this concern of the language of the Resolution and the increase in administrative duties that would be created as a result its approval. Mr. Cracas suggested that the Resolution be further reviewed with the Building/Zoning Officer. Mrs. Glaum made a motion to table the approval of Resolution 2006-06-11 until further review. Mr. Cracas seconded the motion. After no further discussion the motion was carried with all voting Aye.
- D. Mill at Anselma Preservation & Educational Trust By-law admendments- Mr. Cracas made a motion that the Board instruct the Mill at Anselma to present changes in their by-laws for the Board of Directors that follows the outline of the letter of February 10, 2006, and that a future review be completed seeking agreement of all parties involved. Mr. Hallman III seconded the motion. A discussion ensued regarding the content of members to the Board of Trustees. After no further discussion the motion was carried with all voting Aye.
- E. Anselma Mill-Special Event Permit – Mr. Cracas made a motion to authorize a one day special event permit for July 8, 2006, August 12, 2006, September 9, 2006, October 7, 2006, November 11, 2006 and December 2, 2006 and for Saturday and Sunday tours providing that all conditions of the Building/Zoning Officer have been established. Mrs. Glaum seconded the motion. After no further discussion the motion was carried with all voting Aye.
- F. Appointment of Peter Zimmerman to HARB- Mr. Cracas made a motion to appointment Peter Zimmerman as the Architect Member of the Historic Architectural Review Board. Mrs. Glaum seconded the motion. After no further discussion the motion was carried with all voting Aye.

ADJOURNMENT

Mrs. Glaum made a motion to adjourn the meeting at 11:05 p.m. Mr. Cracas seconded the motion.

Respectfully Submitted,

Joan C. Matthews,
Township Secretary